

JUL 28 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 09-90212

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge named on the complaint form, and a different district judge named only in the complaint itself, made various substantive and procedural errors in his civil case. These charges relate directly to the merits of the judges' rulings and must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982).

Complainant also alleges that the "Court" was biased and conspired with law enforcement to protect the government. But complainant hasn't provided any objectively verifiable proof (for example, names of witnesses, recorded documents or transcripts) to support these allegations. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. 2009). Adverse rulings alone do not constitute proof of bias. Id. These charges must be dismissed because there is no evidence that misconduct occurred. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-

Conduct Rule 11(c)(1)(D).

Complainant's allegations against court staff are dismissed because the misconduct complaint procedure applies only to federal judges. See Judicial-Conduct Rule 4.

DISMISSED.